

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hu et al.

Application Serial No.: 09/219,442

Filed: June 30, 1998

For: Vascular Endothelial Growth Factor 2



Group Art Unit: 1646

Examiner: Saoud, C.

Atty. Docket No.: PF112P2D1

140  
#13 7/22/00  
SAB  
T.O. Accepted  
#27

TERMINAL DISCLAIMER

Assistant Commissioner For Patents  
Washington, D.C. 20231

Sir:

Your Petitioner, Michele W. Wales, represents that she holds the position of Attorney of Human Genome Sciences, Inc. of the entire right, title and interest in and to the above-identified application by virtue of an assignment which was recorded on August 18, 1998, at Reel 9440, Frame 0794 in Application Serial No. 08/999,811, filed December 24, 1997.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent No. 5,932,540, which issued on August 3, 1999, and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,932,540.

Petitioner further agrees that this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of the patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,932,540 in the event that said patent later expires for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally

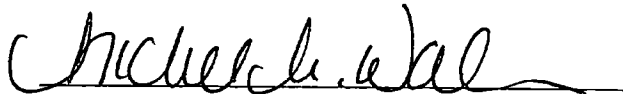
disclaimed under 37 C.F.R. 1.321(a), have all claims canceled by a reexamination certificate, or are otherwise terminated prior to the expiration of their full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that she has reviewed the assignment and, to the best of her knowledge and belief, title is in the assignee seeking to take action in this matter and that she is empowered to act on behalf of Human Genome Sciences, Inc.

Petitioner hereby declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 10<sup>th</sup> day of July, 2000.

HUMAN GENOME SCIENCES, INC.

  
Michele M. Wales (Reg. No. 43,975)  
Attorney for Applicants  
9410 Key West Avenue  
Rockville, MD 20850  
Telephone: (301) 610-5772

Enclosure

MMW/lcc